

Recorded by:
City Clerk
City of Glendale
5850 West Glendale Avenue
Glendale, AZ 85301-2599

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
ELECTRONIC RECORDING
20110184546,03/02/2011 03:28,
O2766-8-1-1--N

ORDINANCE NO. 2766 NEW SERIES

ELAINE M. SCRUGGS
MAYOR

ATTEST:

PAMELA HANNA
City Clerk

STATE OF ARIZONA)
County of Maricopa) ss
City of Glendale)

(SEAL)

APPROVED AS TO FORM:

CRAIG TINDALL
City Attorney

I, the undersigned, Pamela Hanna, being the duly qualified City Clerk of the City of Glendale, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2766 New Series is a true, correct and accurate copy of Ordinance No. 2766 New Series, passed and adopted at a regular meeting of the Council of the City of Glendale, held on the 22nd day of February, 2011, at which a quorum was present and voted in favor of said Ordinance.

REVIEWED BY:

HORATIO SKEETE
Assistant City Manager

Given under my hand and seal this 2nd day of March, 2011.


CITY CLERK

ORDINANCE NO. 2766 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT ACROSS PORTIONS OF A CITY-OWNED WELL SITE AT 107TH AVENUE AND BETHANY HOME ROAD; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

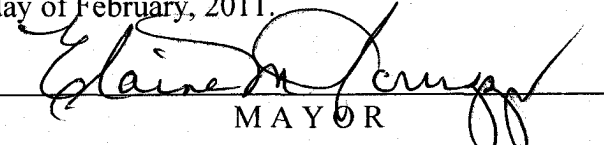
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Council hereby approves the power distribution easement and all the terms and conditions thereto and directs that the City Manager for the City of Glendale execute said document granting Salt River Project an easement upon, across, over and under the surface of certain property located within existing City property, in the form attached hereto as Exhibit A. The legal description is contained in the Easement.

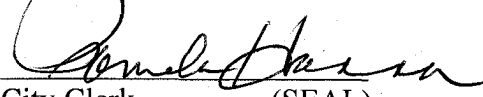
SECTION 2. That the City hereby reserves the right to use the power distribution easement premises in any manner that will not prevent or interfere with the exercise by Salt River Project of the rights granted hereunder; provided, however, that the City shall not obstruct, or permit to be obstructed, the easement premises at any time whatsoever without the express prior written consent of Salt River Project.

SECTION 3. That the City Clerk be instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

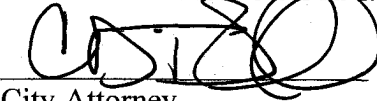
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 22nd day of February, 2011.


MAYOR

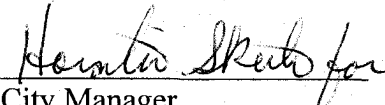
ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400

P. O. Box 52025

Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County

Parcel # 102-59-024

NE ¼ of Section 18, T2N, R1E

Agt. WCB

Job # KJP-2021

W CB C RAP

**CITY OF GLENDALE,
an Arizona municipal corporation,**

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel") to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conductors, conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes and transformers and all other appliances, appurtenances and fixtures (collectively "Facilities") for the transmission and distribution of electricity and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Grantor's Property.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

A portion of land being part of the Northeast quarter of Section 18, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as LOT 9, of the FINAL PLAT FOR "GLENDALE SPRING TRAINING COMPLEX", according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 1020 of Maps, page 39.

EXHIBIT A – FOR REFERENCE ONLY

Easement Parcel:

Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the centerline (CENTERLINE 8' EASEMENT) as delineated/depicted on the attached EXHIBIT "A", including equipment pad areas, as prepared by SRP Surveys Department, dated January 6, 2011, and by reference made a part thereof.

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EXHIBIT A - FOR REFERENCE ONLY

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et. seq., Arizona Blue Stake Law, prior to any excavation.

Grantor shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas.

Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

Grantee shall have the right (but not the obligation) to trim, cut and clear away trees, brush or other vegetation on, the Easement Parcel whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

By accepting this easement, Grantee agrees to restore the surface of the Easement Parcel upon completion of the initial installation and any subsequent construction, reconstruction, repair or maintenance work that may be required.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

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EXHIBIT A – FOR REFERENCE ONLY

IN WITNESS WHEREOF, **CITY OF GLENDALE**, an Arizona municipal corporation, has caused its name to be executed by its duly authorized representative(s), this _____ day of _____, 2011.

APPROVED AS TO FORM:

CITY OF GLENDALE,
an Arizona municipal corporation

Craig Tindall, City Attorney

By: Ed Beasley, City Manager

ATTEST:

Pamela Hanna, City Clerk

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

This instrument was acknowledged before me this _____ day of _____, 2011, by Ed Beasley and Pamela Hanna, City Manager and City Clerk, respectively, of the **CITY OF GLENDALE**, a municipal corporation of the State of Arizona.

Notary Public

My Commission Expires:

Notary Stamp/Seal

Note: This instrument is exempt from the real estate transfer fee and affidavit of legal value required under A.R.S. Sections 11-1132 and 11-1133 pursuant to the exemptions set forth in A.R.S. Sections 11-1134(A)(2) and (A)(3).

EXHIBIT "A"

NOTE

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT.
ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION,
AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY
BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.

SRP JOB #
KJP-2021

NOTE

EQUIPMENT PAD(S) ARE A PART
OF THE EASEMENT UNLESS
OTHERWISE NOTED.

CAUTION

THE EASEMENT LOCATION AS
HEREON DELINEATED MAY
CONTAIN HIGH VOLTAGE ELECTRICAL
EQUIPMENT, NOTICE IS HEREBY GIVEN
THAT THE LOCATION OF UNDERGROUND
ELECTRICAL CONDUCTORS OR
FACILITIES MUST BE VERIFIED
AS REQUIRED BY ARIZONA REVISED
STATUTES, SECTION 40-380.21,
ET. SEQ., ARIZONA BLUE STAKE
LAW, PRIOR TO ANY EXCAVATION.

LEGEND

NOTE: SYMBOLS MAY NOT BE TO DRAWING
SCALE, SO AS TO BETTER ENHANCE
GRAPHICAL REPRESENTATION

- SECTION AND CENTERLINE
——— PROPERTY LINE
----- CENTERLINE OF 8' EASEMENT
○ EQUIPMENT PAD -
UNLESS OTHERWISE NOTED
ARE PART OF THE EASEMENT

SALT RIVER PROJECT A.I.
& POWER DISTRICT

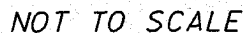
ZONE 4 GROUNDWATER
NE 1/4, SEC 18, T2N, R1E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	<u>SIMANEK</u>	AGENT	<u>BRAMWELL</u>
DRAWN	<u>G.GREEN</u>	APPROVED:	<u>JSR</u>
DATE	<u>1-6-11</u>	APPROVED:	<u>JSR</u>
SCALE	<u>N.T.S.</u>	SHEET	<u>1</u> OF <u>2</u>

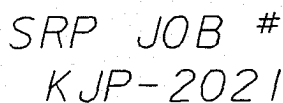
EXHIBIT "A"

BETHANY HOME RD.



MISSOURI AVE.

E1/4COR
SEC 18
FD.BC FLUSH
LOCATED
12-16-10



UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	<u>SIMANEK</u>	AGENT	<u>BRAMWELL</u>
DRAWN	<u>G. GREEN</u>	APPROVED:	
DATE	<u>1-6-11</u>	APPROVED:	<u>JJR</u>
SCALE	<u>1" = 60'</u>	SHEET	2 OF 2